

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Jamie A. Shank
aka Jamie Slaugh, aka Jamie Barr
Debtor(s)

Bankruptcy Case No.: 16-70779-JAD
Issued Per June 16, 2017 Proceeding
Chapter: 13
Docket No.: 48 – 15
Concil. Conf.: August 3, 2017 at 02:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 18, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Aug. 3, 2017 at 02:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: LSF9 Master Participation Trust at Claim No. 8 .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: June 23, 2017

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Jamie A. Shank
 Debtor

Case No. 16-70779-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 32

Date Rcvd: Jun 23, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 25, 2017.

db
 14320616 +Jamie A. Shank, 166 Kelly Drive, East Freedom, PA 16637-8422
 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
 Richmond, VA 23238)
 14320615 +Caliber Home Loans, PO Box 619063, Dallas, TX 75261-9063
 14320617 +Chase Auto, Po Box 24696, Columbus, OH 43224-0696
 14320618 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 14320619 +Chld/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
 14320620 +Cornerstone Credit, 500 W Plank Rd, Altoona, PA 16602-2802
 14390953 +LSF9 Master Participation Trust, c/o Caliber Home Loans, Inc., 13801 Wireless Way,
 Oklahoma City, OK 73134-2500
 14386228 +MIDLAND FUNDING LLC, PO BOX 2011, WARREN, MI 48090-2011
 14320627 +Midland Funding, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
 14325568 +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14320638 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14320621 +E-mail/PDF: creditonebknofications@resurgent.com Jun 24 2017 00:28:24 Credit One Bank Na,
 Po Box 98875, Las Vegas, NV 89193-8875
 14320622 +E-mail/Text: ebsterling@weltman.com Jun 24 2017 00:32:03 J.b. Robinson Jewelers,
 375 Ghent Rd, Fairlawn, OH 44333-4601
 14361487 E-mail/Text: bk.notifications@jpmchase.com Jun 24 2017 00:32:03 JPMorgan Chase Bank N.A.,
 National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
 14320623 +E-mail/Text: bnckohlsnotices@becket-lee.com Jun 24 2017 00:31:57 Kohls/chase,
 N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 14390953 +E-mail/Text: ECMBKMail@Caliberhomeloans.com Jun 24 2017 00:32:47
 LSF9 Master Participation Trust, c/o Caliber Home Loans, Inc., 13801 Wireless Way,
 Oklahoma City, OK 73134-2500
 14354362 E-mail/PDF: resurgentbknofications@resurgent.com Jun 24 2017 00:28:25
 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14320624 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 24 2017 00:28:25 Lvnv Funding Llc,
 Po Box 10497, Greenville, SC 29603-0497
 14320625 E-mail/Text: camanagement@mtb.com Jun 24 2017 00:32:02 M&t Bank, 1 Fountain Plz Fl 4,
 Buffalo, NY 14203
 14353451 E-mail/Text: bkr@cardworks.com Jun 24 2017 00:31:54 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14320626 +E-mail/Text: bkr@cardworks.com Jun 24 2017 00:31:54 Merrick Bank, Po Box 9201,
 Old Bethpage, NY 11804-9001
 14341580 E-mail/Text: bnc-quantum@quantum3group.com Jun 24 2017 00:32:03
 Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788,
 Kirkland, WA 98083-0788
 14320629 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:12 Synch/amazon, Po Box 965015,
 Orlando, FL 32896-5015
 14320630 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:22 Synch/amer Eagle, Po Box 965005,
 Orlando, FL 32896-5005
 14320631 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:12 Synch/care Credit,
 C/o Po Box 965036, Orlando, FL 32896-0001
 14320632 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:31 Synch/jcp, Po Box 965007,
 Orlando, FL 32896-5007
 14320633 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:12 Synch/lowes, Po Box 956005,
 Orlando, FL 32896-0001
 14320634 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:31 Synch/old Navy, Po Box 965005,
 Orlando, FL 32896-5005
 14320635 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:12 Synch/paypal Smart Con,
 Po Box 965005, Orlando, FL 32896-5005
 14320636 +E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:22 Synch/qvc, Po Box 965005,
 Orlando, FL 32896-5005
 14320637 E-mail/PDF: gecsedirecoverycorp.com Jun 24 2017 00:28:31 Synch/walmart, Po Box 965024,
 El Paso, TX 79998
 14320639 +E-mail/Text: bnc-bluestem@quantum3group.com Jun 24 2017 00:32:33 Webbank/fingerhut,
 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 21

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr JPMORGAN CHASE BANK, N.A.
 cr LSF9 MASTER PARTICIPATION TRUST
 cr LSF9 Master Participation Trust

District/off: 0315-7

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 32

Date Rcvd: Jun 23, 2017

cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14337833* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
Richmond, VA 23238)
14337832* +Caliber Home Loans, PO Box 619063, Dallas, TX 75261-9063
14337834* +Chase Auto, PO Box 24696, Columbus, OH 43224-0696
14337835* +Chase Card, PO Box 15298, Wilmington, DE 19850-5298
14337836* +Chld/cbna, PO Box 6497, Sioux Falls, SD 57117-6497
14337837* +Cornerstone Credit, 500 W Plank Rd, Altoona, PA 16602-2802
14337838* +Credit One Bank Na, PO Box 98875, Las Vegas, NV 89193-8875
14337839* +J.b. Robinson Jewelers, 375 Ghent Rd, Fairlawn, OH 44333-4601
14337840* +Kohls/chase, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
14337841* +Lvnv Funding Llc, PO Box 10497, Greenville, SC 29603-0497
14337842* ++M&T BANK, LEGAL DOCUMENT PROCESSING, 1100 WHERLE DRIVE, WILLIAMSVILLE NY 14221-7748
(address filed with court: M&t Bank, 1 Fountain Plz Fl 4, Buffalo, NY 14203)
14337843* +Merrick Bank, PO Box 9201, Old Bethpage, NY 11804-9001
14337844* +Midland Funding, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
14337845* +Portfolio Recovery Ass, 287 Independence, Virginia Beach, VA 23462-2962
14337846* +Syncb/amazon, PO Box 965015, Orlando, FL 32896-5015
14337847* +Syncb/amer Eagle, PO Box 965005, Orlando, FL 32896-5005
14337848* +Syncb/care Credit, C/o PO Box 965036, Orlando, FL 32896-0001
14337849* +Syncb/jcp, PO Box 965007, Orlando, FL 32896-5007
14337850* +Syncb/lowes, PO Box 956005, Orlando, FL 32896-0001
14337851* +Syncb/old Navy, PO Box 965005, Orlando, FL 32896-5005
14337852* +Syncb/paypal Smart Con, PO Box 965005, Orlando, FL 32896-5005
14337853* +Syncb/qvc, PO Box 965005, Orlando, FL 32896-5005
14337854* Syncb/walmart, PO Box 965024, El Paso, TX 79998
14337855* +Td Bank Usa/targetcred, PO Box 673, Minneapolis, MN 55440-0673
14337856* +Webbank/fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
14320628 ##+Portfolio Recovery Ass, 287 Independence, Virginia Beach, VA 23462-2962

TOTALS: 3, * 26, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 25, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on June 23, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor JPMORGAN CHASE BANK, N.A. bkgroup@kmlawgroup.com
Jeremy J. Kobeski on behalf of Creditor LSF9 Master Participation Trust pawb@fedphe.com
Mario J. Hanyon on behalf of Creditor LSF9 MASTER PARTICIPATION TRUST pawb@fedphe.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Jamie A. Shank ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 6